

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23315 of 2020

Arising Out of PS. Case No.-439 Year-2019 Thana- PIPRA District- East Champaran

LALAN KUMAR, Son of Fulen Choudhary, Resident of Village- Hathiyahi,
P.S.- Pipra Kothi, District- East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra, Advocate
For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 09-10-2020 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in connection with Pipra P.S. Case No. 439 of 2019 for the offence under Sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

In the instant case total 5 litres of country made liquor was seized.

Learned counsel for the petitioner submits that the petitioner has got no criminal antecedent. He further submits that nothing was recovered from the possession of the petitioner.

Considering the fact that the petitioner has got no criminal antecedent and only five litres of country made liquor was seized, the petitioner named above, in the event of arrest or surrender before the court below within one month from the



date of communication of this order, is directed to be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Excise Act, East Champaran, Motihari in connection with Pipra P.S. Case No. 439 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with the further condition that the petitioner shall deposit Rs. Rs.25,000/- (Rupees twenty five thousand) cash in the court below and the same shall be abide by the final outcome in the trial i.e. if the petitioner is acquitted the amount of Rs.25,000/- shall be refunded in favour of the petitioner, otherwise it shall be forfeited.

(Anil Kumar Upadhyay, J)

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